

# Exhibit 18

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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION



91-1300 Enterprise Avenue Kapolei, HI 96707

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Requesting Official(s) and Office(s): US DOJ FBI Honolulu Field Office

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Name and Office of Linguist(s): OST Tamara L Heck

Name and Office of Reviewer(s): Hawaii Police Department – Internal Affairs

Source Language(s): English

Target Language: English

Source File Information

CD/File Conversations took place 01/13/2017 (1130-1200hrs)

VERBATIM TRANSCRIPTION

Participants:

Jerry Inouye  
Cary Okimoto  
LYNNE Uyema  
Max Sword

Abbreviations:

PH: Phonetic Spelling  
UI: Unintelligible  
SC: Simultaneous Conversation

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[TN: ]

Disk 2 of 4 translating for case.

UM1 is introduced as Commissioner in dialogue.

Corrections to document per HPD are made in blue. Transcription was reviewed by participants in recorded dialogue.

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[Background Noise – Until 1:00]

CARY OKIMOTO: How you doing?

MAX SWORD: Not too bad. Not too bad. How you guys?

[SC] [UI]

MAX SWORD: Gotta get you one Aloha shirt though.

[Laughter]

[SC] [UI]

JERRY INOUYE: Subdued Aloha

MAX SWORD: There you go. Looks like silk to eh.

CARY OKIMOTO: Yeah

MAX SWORD: Is it?

[Open Door]

CARY OKIMOTO: I don't know? You know me. I not [IA]

MAX SWORD: Hello, Good morning.

[Pause]

MAX SWORD: Is that where they sent you the tongs, over there? [UI]

LYNNE UYEMA: I know. [Laughter] Especially with my cold.

MAX SWORD: Yeah. Anyway, thank you for such short notice. Uh couple things...

CARY OKIMOTO: Yes.

MAX SWORD: Uh at our last meeting uh I kind of measured out what my focus is on this whole issue, and the focus is of course the morale and welfare of the police department and how it - how it affects the community as a whole. That's always been my focus and I think all you folks are in agreement. So when we talked about, uh how we are going to finance this and Axt [PH] we couldn't do it.

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Anyway you were filled out on uh, what the proposal was with the budget and finance.

CARY OKIMOTO:

Somewhat but there wasn't any proposal it, all it was was...

MAX SWORD:

What we could do.

CARY OKIMOTO:

Well, not even that. I mean uhm from when Axt [PH] spoke to Nelson, Nelson didn't offer any uhm suggestions he-he uhm Axt [PH] was just trying to verify this conversation that uhm Nelson had with - with Donna.

MAX SWORD:

Yeah.

CARY OKIMOTO:

And with that from what we know of the law and from what was trying to happen, we-we couldn't do that

MAX SWORD:

[REDACTED]  
In other words it-it-uh comes to the point and what it would be would be quart – it would be on a quarterly basis. Uh that they would transfer funds.

LYNNE UYEMA:

[REDACTED]

MAX SWORD:

[REDACTED]

LYNNE UYEMA:

Okay.

MAX SWORD:

I'm surprised that, I thought that was what they explained.

CARY OKIMOTO:

That was subject that never came up.

MAX SWORD:

Uh okay.

LYNNE UYEMA:

In fact Nelson was not, he was - was not giving his full on whole stamp of approval of...

MAX SWORD

Yeah.

LYNNE UYEMA:

This is what you guys can do, let's do this, it was, uh, he was not encouraging.

MAX SWORD:

Okay, well let me give you a hypothetical question then. If we

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could do it because after here I'm going to go talk to budget and finance guys, if it can be done legally [pause] are you guys open to that?

LYNNE UYEMA: I think one of the hard parts though Commissioner Sword is that we're still going to have to find the money -

MAX SWORD: Yeah.

LYNNE UYEMA: And sit in front of you know the council or anybody to explain why the money was taken from services to the public to -

MAX SWORD: Well, I-I yeah I don't know if it's service to the public or where it's coming from but just hypothetically if it could, I mean, if we do it that way, uhm legally, without say for instance taking away from human resources I mean – you know housing or whatever the case may be.

LYNNE UYEMA: I think that's just the problem though. If there is - we don't have the money. We don't have to pull it from -

CARY OKIMOTO: Everything is we have x amount of money and it's all allotted to programs and uhm different areas of the police department be it you know, salaries, and you know, uhm equipment, uhm things that we need to build, uhm and it's already allotted, so it's not like you like we have a savings account like we have something that is just sitting there and we can just go and uhm go get that money you know, so I mean and uhm as...

MAX SWORD: Well hypothetical, and I-I-I hypothetically, what I'm saying if it's laid out to you, [REDACTED]

LYNNE UYEMA: [REDACTED]

MAX SWORD: Okay.

LYNNE UYEMA: [REDACTED]

MAX SWORD: [REDACTED] but, anyway what I'm trying to here is trying to see, line everything up. If it doesn't line up, it doesn't line up, is what I'm trying to say. But let's give it a go to see if it does line up. Is what I'm asking. If you guys are willing to give it a go to look to see what – so that everything lines up. Because the only alternative we are going to have is to draw this thing out. It's going to be drawn out for the

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next, minimum, next three months. Minimum. And - and that's you know I [chuckles]

CARY OKIMOTO:

Well, if you are, you know, to be perfectly candid with you commissioner if it's - if it's uhm, a thing where uhm I have to debate to not to drag this thing out for three months or to get rid of this quick and to cut services or you know uh, do something that maybe on the line of being illegal I'll – I'll take the three months every single time. I mean I got to protect you too.

MAX SWORD:

Yeah yeah yeah and I understand that, I understand, but I – I wouldn't do it if it wasn't legal. [REDACTED]

[REDACTED]

And - and I don't – I don't believe you would.

MAX SWORD:

Yeah.

CARY OKIMOTO:

But I I'm just cautioning you that maybe somebody is going to tell you it's okay and - and not knowing and - and saying it is legal when it is actually not. I'm just cautioning you as a – as a friend and - and somebody who uh I work for, who I answer to. You know so, that's - that's I wanted to say.

MAX SWORD:

No, no and I appreciate it, appreciate it. Okay. [REDACTED]

[REDACTED]

CARY OKIMOTO:

[REDACTED]

MAX SWORD:

Okay.

MAX SWORD:

And that's what I'm saying. If – if - if we can line it up and it's not illegal, uh you know and then [cough] I'm just saying that if you're – if you're open to that I will continue to pursue. Otherwise, uh yeah it's - it's going to be what it is. It is what it is. So.

LYNNE UYEMA:

I think it's just a two - it's a two-fold. Whether it is legal and then also where the money is coming from. Because we -

MAX SWORD:

Oh yeah, yeah, yeah. I understand, I understand. We don't want to short the department. You know when it comes to uh services otherwise we would be defeating what we are trying to do.

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LYNNE UYEMA: Correct.

MAX SWORD: Like what I was saying we are trying to serve the community.

[IA – SC]

LYNNE UYEMA: And the morale of the department.

MAX SWORD: That's why you guys get paid all the big bucks with all the zeros with no numbers in front.

[Laughter]

MAX SWORD: You got to think about stuff like that. You know? But uh yeah....

LYNNE UYEMA: [UI] And what's being floated to you is, there might be a way, but it's just a way that just does not sound right. I did, I mean what always gives me pause is when I'm asking you know, people. And they start skirting. I mean, either it's just a yes or a no. Can we do it or can't we do it.

MAX SWORD: Yeah, yeah.

LYNNE UYEMA: Once you start skirting that I'm like...

MAX SWORD: Yeah and you know you know I always say people always ask me this why are you always smiling. And I'm like you know besides projecting the other person doesn't know what I'm thinking. I say you know what life is too short. Life is too short to - to have a frown on your face. So I-I think I-I again I don't want to be coming back six months from now, a year from now trying to backtrack on something you know we do it right the first time. You don't have to come back for it.

LYNNE UYEMA: Let's do it right.

MAX SWORD: Yeah.

LYNNE UYEMA: The right way.

MAX SWORD: You know what they say right? In carpentry?

LYNNE UYEMA: What? Oh-

Unison (MS & LU): Measure twice, cut once.

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MAX SWORD: Yeah so uhm yeah so anyway I just wanted to find out what-what-what was explained to me. You know I was like okay, it sounds reasonable but it seems like it was explained differently to you.

CARY OKIMOTO: Yeah.

LYNNE UYEMA: Yeah. In your meeting with budget and finance you might want to ask them why does it have to come out of HPD funds. I mean -

MAX SWORD: Oh the reason it's very simple. So you don't have to go to the seven bananas, I mean nine bananas up at the council.

LYNNE UYEMA: No, we would have to.

CARY OKIMOTO: We would have to.

LYNNE UYEMA: We would have to...

CARY OKIMOTO: Anything [interrupted]

MAX SWORD: No I know. I'm talking about in terms of uh having to get approval for it in order for it...

LYNNE UYEMA: We would still have to.

MAX SWORD: In this case we would approve it then you know we go answer to them if it comes out if it deals with the budget. And uh so forth. But uh, yeah if-if-if we do it other way it will go to the council and then it will be, bigger surface.

LYNNE UYEMA: But it's still, I mean the way it was explained to me from uh Assistant Chief Ant, who is phenomenally astute when it comes to financial dealings, we would have to go because anytime we change money over in HPD or appropriate for uh - designate it for something else you have to go before council.

MAX SWORD: Uhm

LYNNE UYEMA: And get approval for it. Yeah.

MAX SWORD: Okay, that's why I just wanted to make sure that I was hearing what I was hearing. And you're hearing what you're hearing and we both are hearing but apparently we are not. So.

CARY OKIMOTO: Okay.

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MAX SWORD: Any other questions?

CARY OKIMOTO: No we're good.

LYNNE UYEMA: You're going to be [UI] ok?

MAX SWORD: Did they get a hold of you about for setting up for next Wednesday?

LYNNE UYEMA: Yes.

JERRY INOUYE: I think so.

MAX SWORD: Yeah we - we - I instructed Dan too...

[SM]

MAX SWORD: We tried checking if we could get a TV outside or something like that? Uh if possible.

LYNNE UYEMA: With speakers.

MAX SWORD: Yeah, yeah, yeah. Yeah because there might be uh -

CARY OKIMOTO: An overflow. I don't know if we can do that because that's - that's this building is still an office.

MAX SWORD: Yeah I understand that. Understand that.

CARY OKIMOTO: And having distractions like that and you have special duty on one side is a - is a very difficult challenge for us, uhm setting up something that is non-existing.

MAX SWORD: Yeah.

CARY OKIMOTO: But we're still - we're still looking into it. And I'll get back to it Dan.

MAX SWORD: Yeah, yeah, so yeah we don't. You know bananas trying to ask for open meetings and...

LYNNE UYEMA: Tell them go to the ethics commission. Have you ever gone to their meetings?

MAX SWORD: Yeah.

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LYNNE UYEMA: There in this little hole you can't fit more than five people in there.

MAX SWORD: Yeah, yeah but you know Yeah I mean you're always going to get a handful you know. Most of the people that I spoke to said hey, you got to move on and - and so it's like a handful you know? Doesn't help that we have a commissioner that's...

LYNNE UYEMA: [Sighs]

MAX SWORD: I have few words for that women. [UI]

LYNNE UYEMA: Thank you for doing this.

MAX SWORD: Choice words, few choice words. A few choice words for them. It's a little too close the report on the – on the, uh news. It's a little too close to be coincidental.

LYNNE UYEMA: You know, you know it wasn't us.

MAX SWORD: Because you guys weren't in the room right?

LYNNE UYEMA: [Laughter]

MAX SWORD: I knew who was exactly in the room. I know exactly who was in the room. So yeah you don't have bugs in the room do you?

CARY OKIMOTO: No.

[Laughter]

MAX SWORD: Anyway, thank you very much.

LYNNE UYEMA: Thank you so much.

MAX SWORD: Yea, I got to go. I got to go sign the letter for [UI] tell Ron henon to say sorry that we cannot.

LYNNE UYEMA: Thank you.

MAX SWORD: [Laughter] You're welcome.

LYNNE UYEMA: Have a good weekend.

MAX SWORD: Oh you guys yeah. You too, you too, you too.

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CARY OKIMOTO: You too sir.

MAX SWORD: Yeah, yeah I'm going to go play my soccer game this afternoon.

LYNNE UYEMA: Very nice.

[Laughter]

[Background Noise]

[Recording Ended]